



JOHN M. WELLS

Attorney

▪ Direct Line 585.324.5752

▪ Direct Fax 585.269.3088

▪ Email [jwells@lacykatzen.com](mailto:jwells@lacykatzen.com)

December 18, 2018

*Via CM/ECF*

Honorable Denis R. Hurley, Senior Judge  
United States District Court  
Eastern District of New York  
Long Island Courthouse  
100 Federal Plaza  
Central Islip, New York 11722

**Re: Bank of America v. Pushing Grey - Official Number 1205748**  
*(Case No. 2:11-cv-01191-DRH-ARL)*

Dear Judge Hurley:

Pursuant to your Order, I e-filed on December 17, 2018 plaintiff's motion for summary judgment and the response of Defendant Lisi, who requests an adjournment of the motion. At the risk of appearing insensitive to Defendant Lisi's incarcerated condition, I vehemently urge the Court to deny Defendant Lisi's request. In March, this action will reach eight years of age. This age is a direct consequence of dilatory behavior by Turtle Holdings and Lisi, including what has become a habitual proclivity for requesting adjournments. The age of this action has and will continue to directly harm the plaintiff as the value of its collateral, the Vessel, continues declining as it too ages and sits unused in storage.

Defendant Lisi has had adequate time to respond to plaintiff's motion. In compliance with your Order, my office served Defendant Lisi on November 16, 2018. Lisi's letter requesting an adjournment is dated December 7. In it Lisi states he received plaintiff's motion "the other week", a phrase which would appear to mean a date further in time than one week.

Finally, if there was any merit to Lisi's contentions that he was recently moved to the East Compound at Fort Dix and lost access to his case files, he should have provided an affidavit from the prison warden in support. Lisi did not and, consequently, leaves his request resting on the strength of his veracity.

Very truly yours,

LACY KATZEN LLP

John M. Wells

JMW/jw

cc.: Mr. Brandon G. Lisi (*via first class mail and U.S. Postal Service Priority Mail*)